

NOTICE: This opinion is subject to formal revision before publication in the bound volumes of NLRB decisions. Readers are requested to notify the Executive Secretary, National Labor Relations Board, Washington, D.C. 20570, of any typographical or other formal errors so that corrections can be included in the bound volumes.

**CNN America, Inc. and Team Video Services, LLC
and National Association of Broadcast Employees
and Technicians, Communications Workers
of America, Local 31, AFL-CIO**

**CNN America, Inc. and Team Video Services, LLC
and National Association of Broadcast Employees
and Technicians, Communications Workers
of America, Local 11, AFL-CIO. Cases 05-CA-
031828 and 05-CA-033125**

March 20, 2015

ORDER

BY CHAIRMAN PEARCE AND MEMBERS MISCIMARRA,
AND HIROZAWA

On September 15, 2014, the National Labor Relations Board issued a Decision and Order in this proceeding. 361 NLRB No. 47. On November 12, 2014, the General Counsel filed a Motion to Correct Discriminatee Names in Board Order, and CNN filed a Motion for Reconsideration/Reopening the Record. On December 12, 2014, the General Counsel and the Union filed a response and an opposition, respectively, to CNN's motion. The General Counsel's motion is unopposed.

The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

**1. Motion to Correct Discriminatee Names in the
Board Order**

The General Counsel states that the Board inadvertently omitted discriminatees Carmine Cassella, Dwight Collins, John Fanning, and Charlene Singleton from paragraph 2(j) of the Order and erroneously included discriminatee Charles Serra's name in paragraph 2(j) rather than 2(e). In addition, the General Counsel contends that the Board misspelled the names of discriminatees Felix Fermaintt, Fernando Gracia, Jeffrey Burns, Arielle Gamza, Lawrence Van Patten, Elizabeth Zosso, and Richard Shine. We grant the General Counsel's unopposed request to correct the omitted, misplaced, and misspelled names. We will correct the Order accordingly.

2. Motion for Reconsideration/Reopening the Record

Under Section 102.48(d) of the Board's Rules and Regulations, a motion for reconsideration must be justified by "extraordinary circumstances." CNN has provided no such justification and has failed to raise any substantial argument not previously considered by the Board.

In its motion, CNN repeats its arguments that prior certifications, collective-bargaining agreements, and bargaining history preclude a finding that it is the joint employer of bureau employees nominally employed by Team Video Services (TVS). For the reasons set forth in the Decision and Order, *supra*, slip op. at 3–8, we reject those arguments. Rather, the evidence provides ample support for the Board's finding that CNN and TVS had a joint employer relationship at the time of the unfair labor practices.¹

CNN also contends that "it would be literally impossible" to restore the bargaining unit employees' terms and conditions of employment and unduly burdensome to reinstate the TVS employees, as the Board ordered. CNN requests that the Board "reopen the record and consider the changed circumstances that have occurred since the close of the hearing in this case more than six years ago." This contention is appropriately reserved for the compliance phase of this proceeding, where CNN will have the opportunity to show, based on evidence that was not available at the time of the hearing, that those remedies must be modified. See *Gaetano & Associates*, 344 NLRB 531, 534 (2005) (contention that complying with ordered remedies a "practical impossibility" is "appropriately left to the compliance stage of these proceedings"); *Lear Siegler, Inc.*, 295 NLRB 857, 861–862 (1989) (evidence that ordered remedies impose an undue burden may be introduced at compliance).

IT IS ORDERED that the General Counsel's Motion to Correct Discriminatee Names in the Board Order is granted.

IT IS FURTHER ORDERED that the Respondent's Motion for Reconsideration/Reopening is denied.

¹ CNN's citation of *Computer Associates International, Inc. v. NLRB*, 282 F.3d 849 (D.C. Cir. 2002), in which the court reversed the Board's finding of a joint employer relationship, does not justify reconsideration of our decision. In that case, the parties had stipulated to the contrary only a year before, and the Board did not identify any changed circumstances. *Id.* at 852–853. Here, the Board certified the Unions two decades before TVS was even created, and unit employees have been employed by four successive contractors since the initial subcontracting of the work. Member Miscimarra adheres to his view that CNN was not a joint employer of TVS' employees, as discussed at length in his partial dissenting opinion, and he disagrees that *Computer Associates* is distinguishable from the instant case, in which the record similarly fails to demonstrate changed circumstances notwithstanding the passage of time and the succession of contractors since the Unions were certified. Member Miscimarra believes *Computer Associates* resembles the instant case in material respects and undercuts the majority's finding that CNN and TVS were joint employers. However, Member Miscimarra agrees that the Respondent's motion does not identify extraordinary circumstances that warrant reconsideration or reopening the record, without prejudice to the Respondent's arguments that the majority's remedies warrant modification (which, as noted in the text, would be appropriate for litigation at the compliance stage).

IT IS FURTHER ORDERED that the Order be modified as follows:

1. Substitute the following for paragraph 2(e).

“(e) Within 14 days from the date of the Board’s Order, offer employment to the former TVS employees listed below to their former positions or, if those jobs no longer exist, to substantially equivalent positions, without prejudice to their seniority or any other rights or privileges previously enjoyed.

DC Bureau

(TVS unit employees
not hired by CNN)

Jeffrey Adkinson
Emmanuel Agomuoh
Charles Anderson
Rodney Atkinson
Tim Bintrim
James Cook
Keith Crennan
Timothy Durham
Bill Evans
Danny Farkas
Dennis Faulkner
Christopher Hamilton
David Jenkins
Martin Jimenez
Michael Kauffman
Nicholas Kiraly
Adilson Kiyasu
Donna Lacey
Larry Langley
Myron Leake
Mark Marchione
Ralph Marcus
Joseph Mosley
Luis Munoz
Jeffrey Noble
Dennis Norman
James Norris
Sarah Pacheco
John Quinnette
Tyrone Riggs
Oscar Romay
Fred Schall
Paul Skaife
James Stubbs
James Suddeth
James Suissa
John Urman

Joseph Wade
Aaron Webster
Darrin White

NYC Bureau

(TVS-unit employees
not hired by CNN)

Marc Abramson
Melanie Baker
Marcus Bassett
Paul Bernius
Doriann Bertino
Richard Birch
Steve Burnett
Joseph Cantali
Jeffrey Carlough
Timothy Cassese
Christopher Collins
Duff Conner
Robert Cummings
Christopher Cunningham
Viktor David
Jennifer DeStefano
John Diaconu
Michael Diana
Jeffrey Edelman
Jay Eric
Vince Everett
Donald Fenster
Felix Formaintt
Todd Ferrand
Jon C. Ford
John Gallagher
Mitchell Gomila
Fernando Garcia
Daniel Hacker
Phil Hadrovic
Kristi Harper
Peter Hedeman
Juan Hortua
Patrick Howley²
Jeffrey Jaramillo

² The judge found that Patrick Howley worked 282 hours in the NYC studio between pay periods 3 and 7 in 2003, but excluded him from the TVS-NYC bargaining unit because he did not perform any bargaining unit work after April 1, 2003. The GC, citing *DIC Entertainment, LP*, 328 NLRB 660 (1999), which established that any free-lance or daily hire employee who worked at least 15 days within the prior year should be included in the bargaining unit, contends that Howley should be included on the list of discriminatees because he worked during the relevant 12-month period, irrespective of when during that period he performed the work. We agree.

Asprey Jones
 Kenneth S. Kaplan
 Brian Kiederling
 Robert Knolle
 Glen Kreigsman
 Beth Lasch
 Steven Lima
 Connie Long
 Perry MacLean
 Tommy Maney
 Sarael Martinez
 Robert Matteo
 Roy McClain
 Kathleen McLaughlin
 Edward McShea
 Barbara Morrissey
 Rod Nino
 Ramon Olivo
 Tracy Organ
 James Peithman
 Mark Peters
 Todd Pivawer
 Charles Rainone Jr.
 John Rappa
 Daniel Rodriguez
 Christian Roebbling
 Hamid "David" Rokshar
 Daniel Scalley
 Shari Schlager
 William Seiden
 Charles Serra
 Michael Sollenberger
 Mickael Squier
 Danielle St. John
 Robert Sullivan
 Mary Theodore
 Richard Uhoda
 Pedro Valentin
 Brian Wood"

3. Substitute the following for paragraph 2(j).

"(j) Make whole, in the manner set forth in the remedy section of the judge's decision, as modified in this decision, the employees named below, in addition to those named in paragraph 2(e) above, for any loss of earnings and other benefits suffered as a result of the Respondent's unlawful discharge of them and its failure to hire them or its unilateral changes in the terms and conditions of their employment that existed prior to the Respondent's termination of its contracts with TVS.

DC Bureau

Bill Alberter
 David Bacheler
 Reza Baktar
 Mike Bannigan
 Cameron Bartlett
 Stephen Bartlett
 Jay Berk
 Dave Berman
 John Bodnar
 Burke Buckhorn
 David Catrett
 Bobby Clemons
 Everett Cottom
 Michael David
 John Davis
 Ronald Davis
 Ken Distance
 Martin Dougherty
 Brenda Elkins
 Thomas Everly
 Cesar Flores
 Michael Galindo
 Tim Garraty
 Maurice George
 Augusto Gomez
 Thomas Michael Greene
 Eddie Gross
 Conrad Hirzel
 Paul Hollenback
 David Hugel
 Lesa Jansen
 Lori Jennings
 Warren Kinlaw
 Dave Kopecky
 Martin Kos
 Douglas Koztoski
 Ronald Kuczynski
 Marianna Lafollette
 Christopher Leonard
 Tau Liu
 Howard Lutt
 Michael Maciejewski
 Kevin McCall
 Kevin McClam
 Barbara Stieritz McCloskey
 Douglas McKinley
 Samuel Jay McMichael
 Paul Miller
 William Moore
 James Moran

Peter Morris
 Flick Morse
 John (Nick) Mueller
 Lorn Murphy
 Ernest Nocciolo
 John Otth
 Robert Parker
 Ines Perez-Thompson
 William Pettus
 James Riggs
 Greg Robertson
 David Scherer
 Barry Schlegel
 Reggie Selma
 Raeshawn Smith
 Tawana Smith-Brown
 Carolyn Stone
 Daniel Taylor
 Arthur Thomas
 Jerry Thompson³
 Lisa Timchalk
 William Tipper
 John Tripp
 Ken Touhey
 Kim Uhl
 Anthony Umrani
 Joe Walker
 Mark Walz
 Kenneth White
 Alvester Williams
 John Williams
 Brian Yaklyvich
 Elizabeth Zosso

NYC Bureau

John Allen
 Andrew Gideon Arnold
 Shimon Baum
 Gordon D. Benedict
 Shep Berkon
 Frank Bivona
 Robert Borland
 Karl Braunwarth
 Robert Brennan
 Chris Brown

Gregory Bryne
 Jeffrey Bums
 Joe Capolarello
 Douglas Carroll
 Mark Casey
 Carmine Cassella
 Timothy Cassese
 Sergio Centa
 James Clarke
 Christopher Collins
 Dwight Collins
 John R. Conroy
 Stephen Coombs
 Paul Cutting
 Louis Delli-Paoli
 Gary D'Orio
 Michael Dottin
 Stefan P. Dreyfuss
 Ori M. Dubow
 Bruce Dunkins
 Larry Edgeworth
 John Fanning
 Nicholas J. Fay
 Bradley Fehl
 John Ferry
 Dennis Finnegan
 Stewart Forman
 John M. French
 Arielle Garnza
 Nicolae Ganea
 Desmond Garrison
 Christopher Geiger
 Michael Gittelman
 Michael J. Glazier
 Ricardo Gomez
 Glen R. Gorham
 Larry Greenberg
 William Greene
 Jason Greenspan
 Jeffrey D. Greenstein
 Eric Grima
 John J. Heneghan
 Mark A. Herman
 Thomas P. Hollyday
 Larry Holmes
 Mark Hubbard
 Walter Imperato
 Anthony K. Ioannou
 Thomas Jurek
 William Kane
 Nicholas P. Karas
 Gerard Kaufold

³ The GC excepted to the judge's omission of TVS-DC unit employee Jerry Thompson from App. A, the list of employees whose were affected by CNN's unilateral changes to the terms and conditions of employment. The original complaint listed Thompson as an affected employee, and the judge's omission appears to be inadvertent.

Sergei Khramtsov
 Paul T. Kim
 Keith H. Koslov
 Edward Langan
 P. Jeffrey Latonero
 Brenda Laux
 Jason Lazar
 Brahms Lee
 Laurent LeGal
 Stacy Leitner
 Allan Leibman
 Todd Lindenfeld
 Kevin M. Lishawa
 Felice Loccisano
 Steven Machalek
 Christopher Madden
 Douglas Maines
 Michael Manzo
 Alexander Marshall
 Gilbert Martinez
 David McCarrie
 Sean P. McGinn
 Dan Meara
 Jennifer T. Messina
 Thomas Miuccio
 John Montalbano
 Donald Mulvaney
 Jonathan C. O'Beirne
 Juan Ortiz
 Dina V. Pace
 Diane Parker
 Philip Pernice
 Glenn W. Perreira
 Timothy A. Persinko
 James Pertz
 Saylor Phair
 Lauren Price
 Andrew Rabel
 John Reilly
 Jonathan D. Reiss
 Scott Riley
 Frank Romano
 Pietro A. Rotundo
 Joseph Santos
 Samuel Sawyer III
 Frederick Schang
 Edward Scholl
 David B. Schumacher
 Richard Shine
 Jonathan Smith
 Michael Sollenberger
 William M. Sparks

Michael Stein
 Robert Strano
 Roger Thomas
 Ronald L. Thompson
 Shane Touhey
 Mike Trier
 Ioannis Tsismelis
 Lawrence Van Patten
 Donald Walden
 Christopher Ward
 David Weber
 Robert Wenk
 Jamie Wiener
 Glenn W. Zachar"

3. Substitute the attached notice for that in the Board's Decision and Order.

Dated, Washington, D.C. March 20, 2015

 Mark Gaston Pearce, Chairman

 Philip A. Miscimarra, Member

 Kent Y. Hirozawa, Member

(SEAL) NATIONAL LABOR RELATIONS BOARD

APPENDIX

NOTICE TO EMPLOYEES

POSTED BY ORDER OF THE

NATIONAL LABOR RELATIONS BOARD

An Agency of the United States Government

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this notice.

FEDERAL LAW GIVES YOU THE RIGHT TO

Form, join, or assist a union

Choose representatives to bargain with us on your behalf

Act together with other employees for your benefit and protection

Choose not to engage in any of these protected activities.

WE WILL NOT discharge you or refuse to hire you because of your prior employment with Team Video Ser-

vices (TVS) or your union activities and membership, or otherwise discriminate against you to avoid having to recognize and bargain with NABET Local 11 and NABET Local 31 (the Union).

WE WILL NOT refuse to comply with the collective-bargaining agreements between TVS and the Union at both the DC and the NYC bureaus, or change your terms and conditions of employment without first notifying the Union and giving it an opportunity to bargain.

WE WILL NOT refuse to recognize and bargain in good faith with the Union as your exclusive collective-bargaining representative by refusing its requests for bargaining over our decision to terminate the contracts with TVS and implement the Bureau Staffing Project and the effects of that decision on you.

WE WILL NOT unilaterally limit the number of former TVS bargaining unit employees that we hire, or change your wages, hours and other terms and conditions of employment, or the work that you previously performed, or any functionally equivalent work, without first bargaining with the Union.

WE WILL NOT withdraw or eliminate any wage increase or other improved benefits or terms and conditions of employment established at the DC and NYC bureaus since the termination of the TVS contracts.

WE WILL NOT contract out your work without giving the Union notice and an opportunity to bargain over these changes.

WE WILL NOT inform you that we intend to operate a nonunion workplace, or that your employment in the TVS bargaining units or your union activity, affiliation, or membership disqualifies you from employment with CNN.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights guaranteed you by Federal labor law.

WE WILL notify the Union in writing that we recognize it as your exclusive representative and that we will bargain with it concerning the terms and conditions of your employment.

WE WILL recognize and, on request, bargain with the Union as your exclusive representative concerning the terms and conditions of employment and, if an understanding is reached, embody the understanding in a signed agreement.

WE WILL rescind any change(s) in your terms and conditions of employment that we unilaterally implemented after December 6, 2003, at the DC bureau, and January 17, 2004, at the NYC bureau, and retroactively restore the preexisting terms and conditions of employment, including hours, wage rates and benefit plans, until the

Respondent negotiates in good faith with the Union to agreement or to impasse.

WE WILL, before implementing any changes in wages, hours, or other terms and conditions of your employment, notify, and on request, bargain with the Union as your exclusive collective-bargaining representative.

WE WILL make whole those TVS unit employees that we unlawfully discharged for losses caused by our failure to apply the terms and conditions of employment that existed immediately prior to our takeover of the TVS operations at the DC and NYC bureaus.

WE WILL, within 14 days from the date of the Board's Order, offer employment to the following named former employees of TVS in their former positions or, if those jobs no longer exist, in substantially equivalent positions, without prejudice to their seniority or any other rights or privileges previously enjoyed, discharging if necessary any employees hired in their places:

DC Bureau

Jeffrey Adkinson
Emmanuel Agomuoh
Charles Anderson
Rodney Atkinson
Tim Bintrim
James Cook
Keith Crennan
Timothy Durham
Bill Evans
Danny Farkas
Dennis Faulkner
Christopher Hamilton
David Jenkins
Martin Jimenez
Michael Kauffman
Nicholas Kiraly
Adilson Kiyasu
Donna Lacey
Larry Langley
Myron Leake
Mark Marchione
Ralph Marcus
Joseph Mosley
Luis Munoz
Jeffrey Noble
Dennis Norman
James Norris
Sarah Pacheco
John Quinnette
Tyrone Riggs
Oscar Romy
Fred Schall

Paul Skaife
James Stubbs
James Suddeth
James Suissa
John Urman
Joseph Wade
Aaron Webster
Darrin White

NYC Bureau

Marc Abramson
Melanie Baker
Marcus Bassett
Paul Bernius
Doriann Bertino
Richard Birch
Steve Burnett
Joseph Cantali
Jeffrey Carlough
Timothy Cassese
Christopher Collins
Duff Conner
Robert Cummings
Christopher Cunningham
Viktor David
Jennifer DeStefano
John Diaconu
Michael Diana
Jeffrey Edelman
Jay Eric
Vince Everett
Donald Fenster
Felix Formaintt
Todd Ferrand
Jon C. Ford
John Gallagher
Mitchell Gomila
Fernando Garcia
Daniel Hacker
Phil Hadrovic
Kristi Harper
Peter Hedeman
Juan Hortua
Patrick Howley
Jeffrey Jaramillo
Asprey Jones
Kenneth S. Kaplan
Brian Kiederling
Robert Knolle
Glen Kreigsman
Beth Lasch
Steven Lima

Connie Long
Perry MacLean
Tommy Maney
Sarael Martinez
Robert Matteo
Roy McClain
Kathleen McLaughlin
Edward McShea
Barbara Morrissey
Rod Nino
Ramon Olivo
Tracy Organ
James Peithman
Mark Peters
Todd Pivawer
Charles Rainone Jr.
John Rappa
Daniel Rodriguez
Christian Roebbling
Hamid "David" Rokshar
Daniel Scalley
Shari Schlager
William Seiden
Charles Serra
Michael Sollenberger
Mickael Squier
Danielle St. John
Robert Sullivan
Mary Theodore
Richard Uhoda
Pedro Valentin
Brian Wood

WE WILL provide to the above-named employees whatever training we have provided since the termination of our contracts with TVS, if such training is necessary to allow them to perform their former jobs or substantially equivalent positions.

WE WILL, within 14 days from the date of the Board's Order, remove from our files any reference to our unlawful discharge of or refusal to hire the above-named employees, and WE WILL, within 3 days thereafter, notify them in writing that this has been done and that our unlawful discharge of or refusal to hire them will not be used against them in any way.

WE WILL make whole the following individuals, in addition to those listed above, for any loss of earnings and other benefits suffered as a result of our discharge of or failure to hire them or our unilateral changes in their pre-existing terms and conditions of their employment:

DC Bureau

Bill Alberter
David Bachelier
Reza Baktar
Mike Bannigan
Cameron Bartlett
Stephen Bartlett
Jay Berk
Dave Berman
John Bodnar
Burke Buckhorn
David Catrett
Bobby Clemons
Everett Cottom
Michael David
John Davis
Ronald Davis
Ken Distance
Martin Dougherty
Brenda Elkins
Thomas Everly
Cesar Flores
Michael Galindo
Tim Garraty
Maurice George
Augusto Gomez
Thomas Michael Greene
Eddie Gross
Conrad Hirzel
Paul Hollenback
David Hugel
Lesa Jansen
Lori Jennings
Warren Kinlaw
Dave Kopecky
Martin Kos
Douglas Koztoski
Ronald Kuczynski
Marianna Lafollette
Christopher Leonard
Tau Liu
Howard Lutt
Michael Maciejewski
Kevin McCall
Kevin McClam
Barbara Stieritz McCloskey
Douglas McKinley
Samuel Jay McMichael
Paul Miller
William Moore
James Moran

Peter Morris
Flick Morse
John (Nick) Mueller
Lorn Murphy
Ernest Nocchiolo
John Otth
Robert Parker
Ines Perez-Thompson
William Pettus
James Riggs
Greg Robertson
David Scherer
Barry Schlegel
Reggie Selma
Raeshawn Smith
Tawana Smith-Brown
Carolyn Stone
Daniel Taylor
Arthur Thomas
Jerry Thompson
Lisa Timchalk
William Tipper
John Tripp
Ken Touhey
Kim Uhl
Anthony Umrani
Joe Walker
Mark Walz
Kenneth White
Alvester Williams
John Williams
Brian Yaklyvich
Elizabeth Zosso

NYC Bureau

John Allen
Andrew Gideon Arnold
Shimon Baum
Gordon D. Benedict
Shep Berkon
Frank Bivona
Robert Borland
Karl Braunwarth
Robert Brennan
Chris Brown
Gregory Bryne
Jeffrey Bums
Joe Capolarello
Douglas Carroll
Mark Casey
Carmine Cassella
Timothy Cassese

Sergio Centa
James Clarke
Christopher Collins
Dwight Collins
John R. Conroy
Stephen Coombs
Paul Cutting
Louis Delli-Paoli
Gary D'Orio
Michael Dottin
Stefan P. Dreyfuss
Ori M. Dubow
Bruce Dunkins
Larry Edgeworth
John Fanning
Nicholas J. Fayon
Bradley Fehl
John Ferry
Dennis Finnegan
Stewart Forman
John M. French
Arielle Garnza
Nicolae Ganea
Desmond Garrison
Christopher Geiger
Michael Gittelman
Michael J. Glazier
Ricardo Gomez
Glen R. Gorham
Larry Greenberg
William Greene
Jason Greenspan
Jeffrey D. Greenstein
Eric Grima
John J. Heneghan
Mark A. Herman
Thomas P. Hollyday
Larry Holmes
Mark Hubbard
Walter Imperato
Anthony K. Ioannou
Thomas Jurek
William Kane
Nicholas P. Karas
Gerard Kaufold
Sergei Khramtsov
Paul T. Kim
Keith H. Koslov
Edward Langan
P. Jeffrey Latonero
Brenda Laux
Jason Lazar

Brahms Lee
Laurent LeGal
Stacy Leitner
Allan Leibman
Todd Lindenfeld
Kevin M. Lishawa
Felice Loccisano
Steven Machalek
Christopher Madden
Douglas Maines
Michael Manzo
Alexander Marshall
Gilbert Martinez
David McCarrie
Sean P. McGinn
Dan Meara
Jennifer T. Messina
Thomas Miuccio
John Montalbano
Donald Mulvaney
Jonathan C. O'Beirne
Juan Ortiz
Dina V. Pace
Diane Parker
Philip Pernice
Glenn W. Perreira
Timothy A. Persinko
James Pertz
Saylor Phair
Lauren Price
Andrew Rabel
John Reilly
Jonathan D. Reiss
Scott Riley
Frank Romano
Pietro A. Rotundo
Joseph Santos
Samuel Sawyer III
Frederick Schang
Edward Scholl
David B. Schumacher
Richard Shine
Jonathan Smith
Michael Sollenberger
William M. Sparks
Michael Stein
Robert Strano
Roger Thomas
Ronald L. Thompson
Shane Touhey
Mike Trier
Ioannis Tsesselis

Lawrence Van Patten
Donald Walden
Christopher Ward
David Weber
Robert Wenk
Jamie Wiener
Glenn W. Zachar

WE WILL compensate bargaining unit employees for the adverse tax consequences, if any, of receiving a lump-sum backpay award, and WE WILL file a report with the Social Security Administration allocating the backpay award to the appropriate calendar quarters.

WE WILL restore any bargaining unit work that has been contracted out since our termination of the contracts with TVS.

WE WILL remit to the Union, with interest, any dues that we were required to withhold and transmit under the

DC bureau's collective-bargaining agreement since December 6, 2003, and the NYC bureau's collective-bargaining agreement since January 17, 2004.

CNN AMERICA, INC.

The Board's decision can be found at www.nlr.gov/case/05-CA-031828 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1099 14th Street, N.W., Washington, D.C. 20570, or by calling (202) 273-1940.

